

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re: )  
)  
EAGLE PROPERTIES AND ) Bankruptcy Case  
INVESTMENTS, LLC, ) No. 23-10566-KHK  
) Chapter 7  
Debtor. )  
\_\_\_\_\_ )

**ORDER APPROVING SALE OF 7616 GROVE AVE, HARRISBURG, PA  
FREE AND CLEAR OF LIENS, CLAIMS AND INTERESTS  
PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 542) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 7616 Grove Avenue, Harrisburg, Pennsylvania (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the proposed sale is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that Fulton Bank, N.A. and Bala Jain, LLC have consented to the sale of the Property as set forth herein, free and clear of all liens, claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell the Property<sup>1</sup> to ANNN Investment LLC (the

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<sup>1</sup> Having the following legal description:

BEGINNING AT A POINT IN THE NORTHERLY LINE OF GROVE AVENUE PLOTTED FORTY (40) FEET

“Purchaser”) for \$267,500 consistent with the sales contract attached to the Motion.

3. The Trustee is authorized to pay the secured claim of Fulton Bank, N.A. at closing as set forth in the draft ALTA attached hereto as Exhibit A (“ALTA”), and the consent of Fulton Bank, N.A. to the sale is conditioned on such receipt.

4. The sale shall be free and clear of that certain Praeceptum to Index Action as Lis Pendens filed by Bala Jain, LLC in the Land Records of Dauphin County, Pennsylvania as Instrument Number 20220024614 pursuant to 11 U.S.C. § 363(f).

5. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$8,025.00 representing his commission under Section 326 of the Bankruptcy Code plus \$13,375.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

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WIDE, WHICH POINT IS IN THE EASTERLY LINE OF LOT NO. 8 ON THE PLAN HEREINAFTER REFERRED TO; THENCE ALONG THE EASTERLY LINE OF SAID LOT NO. 8 NORTH FIVE DEGREES FORTY-THREE MINUTES WEST (N 5 43 W) EIGHTY-FOUR AND TWENTY-FIVE HUNDREDTH (84.25) FEET TO A POINT IN THE SOUTHERLY LINE OF LOT NO.64 NOW OWNED BY DR. E. D. LEIBY; THENCE ALONG SAID LEIBY PREMISES KNOWN AS LOT NO.64 AND ALONG LOT NO. 65 NOW OWNED BY JOHN E. MINEHOFF NORTH EIGHTY-ONE DEGREES SEVENTEEN (17) MINUTES EAST (N 81 17 E) ONE HUNDRED THIRTYNINE AND FORTY-EIGHT HUNDREDTH (139.48) FEET TO A POINT IN THE WESTERLY LINE OF LANDS NOW OR LATE OF PAUL E. MYERS; THENCE ALONG SAID MYERS PROPERTY SOUTH NO DEGREES FORTY-FOUR MINUTES EAST (S 0 44 E) EIGHTY-FIVE AND TWENTY-SEVEN HUNDREDTH (85.27) FEET TO A POINT IN THE NORTHERLY LINE OF GROVE AVENUE; THENCE ALONG SAID GROVE AVENUE SOUTH EIGHTY-EIGHT DEGREES THIRTY-ONE MINUTES WEST (S 88 31 W) THIRTY-NINE AND FORTY-FIVE HUNDREDTH (39.45) FEET TO A POINT; THENCE STILL ALONG SAID GROVE AVENUE SOUTH SEVENTY-NINE DEGREES TWENTY MINUTES WEST (S 79 20 W) SIXTY-FIVE AND SEVENTEEN HUNDREDTH (65.17) FEET TO A POINT AND THENCE STILL ALONG SAID GROVE AVENUE SOUTH SEVENTY-SIX DEGREES NINETEEN MINUTES WEST (S 76 19 W) TWENTYEIGHT AND EIGHT HUNDREDTH (28.08) FEET TO A POINT, THE PLACE OF BEGINNING.

THE ABOVE-DESCRIBED PREMISES ARE SUBJECT TO A RIGHT-OF-WAY HELD BY THE PENNSYLVANIA POWER AND LIGHT COMPANY AND ANOTHER RIGHT-OF-WAY BY THE BELL TELEPHONE COMPANY AS NOW EXISTING.

ALSO, TOGETHER WITH AND SUBJECT TO THE TERMS AND PROVISIONS OF MAINTENANCE AGREEMENT (PRIVATE ROAD) DATED 7-1-1993, RECORDED 9-20-1993, IN BOOK 2059, PAGE 145.

SAID PROPERTY BEING KNOWN FOR PURPOSES OF ASSESSMENT AND TAXATION PURPOSES AS PROPERTY IDENTIFICATION NO. 68-031-098-000-0000.

6. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay a two and one half percent (2.5%) commission to Prime Realty Services at closing for services rendered in representing the Buyer in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

9. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

10. This Order may be recorded in the land records wherein the subject Property is located.

11. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

12. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Aug 30 2024

/s/ Klinette H Kindred  
United States Bankruptcy Judge

Entered On Docket: Aug 30 2024

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001  
Tel: (202) 689-2800  
Fax: (202) 689-2860  
Email: [dylan.trache@nelsonmullins.com](mailto:dylan.trache@nelsonmullins.com)

By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, Maryland 21202  
Phone/Fax No. (410) 576-4194  
E-mail: [dmusgrave@gfrlaw.com](mailto:dmusgrave@gfrlaw.com)

BY: /s/David S. Musgrave (by DGT with authority)  
David S. Musgrave (Bar No. 35327)

*Attorneys for Fulton Bank, N.A.*

SEEN:

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catocin Circle, NE, Suite 300  
Leesburg, Virginia 20176  
Phone No. (703) 777-8850  
Fax No: (703) 777-8854  
E-mail: [crogan@RMZLawFirm.com](mailto:crogan@RMZLawFirm.com)

BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache

Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY  
PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

David S. Musgrave  
GORDON FEINBLATT LLC  
1001 Fleet Street, Suite 700  
Baltimore, MD 21202

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catocin Circle, NE, Suite 300  
Leesburg, Virginia 20176

**Exhibit A**

American Land Title Association

ALTA Settlement Statement - Combined

Adopted 05-01-2015

**Universal Settlement Services of PA**

**ALTA Universal ID:**

**1423 N Atherton Street**

**2nd Floor**

**State College, PA 16803**

File No./Escrow No. : PA-24-1282  
Print Date & Time: August 29, 2024 10:57 am  
Officer/Escrow Officer : Brandy McAulay  
Settlement Location : 1423 N Atherton Street, 2nd Floor  
State College, PA 16803

Property Address: 7616 Grove Avenue  
Harrisburg, PA 17112

Borrower: Annn Investment LLC  
818 Mountain View Street  
Harrisburg, PA 17112

Seller: H. Jason Gold, Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and  
Investments, LLC  
PO Box 57359  
Washington, DC 20037

Lender: The Lending Group Company

Settlement Date: September 13, 2024

Disbursement Date: September 13, 2024

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Financial</b>		
	267,500.00	Sale Price of Property	267,500.00	
		Deposit		10,000.00
		Loan Amount		208,000.00
1,000.00		Seller Credit		1,000.00
		<b>Prorations/Adjustments</b>		
	30.52	Sewer 09/13/24-10/01/24	30.52	
	328.44	City/Town Taxes 09/13/24 - 12/31/24	328.44	
	1,780.51	Assessments 09/13/24 - 06/30/25	1,780.51	
		<b>Title Charges and Escrow/Settlement Charges</b>		
		CPL to Fidelity National Title Insurance Company	125.00	

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Title Charges and Escrow/Settlement Charges (continued)</b>		
		Lender's Title Insurance to Universal Settlement Services of PA Coverage: 208,000.00 Disclosed Premium: 1,640.60	1,640.60	
		TIRBOP Endorsement 100 (Covenants, Conditions and Restrictions) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 300 (Mortgage Survey Exception) to Universal Settlement Services of PA	100.00	
		TIRBOP Endorsement 900 (Environmental Protection Lien - Residential) to Universal Settlement Services of PA	100.00	
		Deed Prep to The Nittany Group	150.00	
1,100.00		Final Sewer to Universal Escrow		
250.00		Final Water to Universal Escrow		
		Owner's Title Insurance to Universal Settlement Services of PA Coverage: 267,500.00 Disclosed Premium: 342.00	342.00	
		Tax Cert Fee to Universal Settlement Services of PA	95.00	
		Title Search Fee to Universal Settlement Services of PA	100.00	
		<b>Commissions</b>		
8,025.00		Commission - Listing Agent to Century 21 New Millennium		
6,687.50		Commission - Selling Agent to Prime Realty Services		
		<b>Government Recording and Transfer Charges</b>		
		Recording Fees to Dauphin County Recorder of Deeds	307.50	
2,675.00		Transfer Tax to Dauphin County Recorder of Deeds	2,675.00	
		<b>Miscellaneous</b>		
1,226.61		2024 county/twp taxes to West Hanover Township Tax Collector		
2,752.02		2024 school taxes to West Hanover Township Tax Collector		
8,025.00		326(a) Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		
		Attorney Title Exam Fee to RL Title and Escrow, Inc.	150.00	
13,375.00		Bankruptcy Estate Payment to H. Jason Gold, Bankruptcy Trustee		

Seller		Description	Borrower	
Debit	Credit		Debit	Credit
		<b>Miscellaneous (continued)</b>		
7,964.40		delinquent taxes to Dauphin County Tax Claim		
150.00		Settlement and Closing Fee to RL Title and Escrow, Inc.	895.00	
216,408.94		Short Sale Proceeds to Fulton Bank to Fulton Bank		
Seller			Borrower	
Debit	Credit		Debit	Credit
269,639.47	269,639.47	<b>Subtotals</b>	276,419.57	219,000.00
		<b>Due from Borrower</b>		57,419.57
269,639.47	269,639.47	<b>Totals</b>	276,419.57	276,419.57

### Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Universal Settlement Services of PA to cause the funds to be disbursed in accordance with this statement.

Borrower

Annn Investment LLC

BY: \_\_\_\_\_

Seller

H. Jason Gold, Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and Investments, LLC

BY: \_\_\_\_\_

\_\_\_\_\_  
Brandy McAulay  
Escrow Officer

In re:  
Eagle Properties and Investments LLC  
Debtor

Case No. 23-10566-KHK  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0422-9  
Date Rcvd: Aug 30, 2024

User: TaiGlennB  
Form ID: pdford11

Page 1 of 3  
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 01, 2024:

Recip ID	Recipient Name and Address
RE	+ Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 6629 Old Dominion Dr, McLean, VA 22101-4516

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: ustpregion04.ax.ecf@usdoj.gov	Aug 31 2024 00:39:00	UST smg Alexandria, Office of the U. S. Trustee, 1725 Duke Street, Suite 650, Alexandria, VA 22314-3489
prof	Email/Text: stephen@realmarkets.com	Aug 31 2024 00:38:00	Stephen Karbelk, Team Leader, RealMarkets, Century 21 New Millennium, 20405 Exchange St, Suite 221, Ashburn, VA 20147

TOTAL: 2

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 01, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 30, 2024 at the address(es) listed below:

Name	Email Address
Andrew S Goldstein	on behalf of Creditor GITSIT Solutions LLC AGoldstein@mglspc.com, jcoffman@mglspc.com
Barry W. Spear	on behalf of Creditor Aero Mortgage Loan Trust 2019- 1 Barry.Spear@bww-law.com bankruptcy@bww-law.com

District/off: 0422-9  
Date Rcvd: Aug 30, 2024

User: TaiGlennB  
Form ID: pdford11

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Total Noticed: 3

Bradley J. Swallow	on behalf of Defendant Main Street Bank bswallow@fblaw.com
Christian K. Vogel	on behalf of Interested Party Primis Bank kvogel@vogelandcromwell.com
Christian K. Vogel	on behalf of Defendant Primis Bank f/k/a Sona Bank kvogel@vogelandcromwell.com
Christopher A. Jones	on behalf of Debtor Eagle Properties and Investments LLC cajones@whitefordlaw.com clano@whitefordlaw.com,dchaney@whitefordlaw.com
Christopher L. Rogan	on behalf of Defendant Shail Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Creditor Bala Jain LLC crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Ishwer Butani crogan@rmzlawfirm.com
Christopher L. Rogan	on behalf of Defendant Bala Jain LLC crogan@rmzlawfirm.com
Corey Simpson Booker	on behalf of Creditor Atlantic Union Bank corey.booker@atlanticunionbank.com
Craig M. Palik	on behalf of Creditor Trinity Universal Insurance Company cpalik@mhlawyers.com cpalik@yahoo.com;dmoorehead@mhlawyers.com;cpalik@ecf.inforuptcy.com;kmadden@mhlawyers.com;mnickerson@mhlawye rs.com
David S. Musgrave	on behalf of Creditor Fulton Bank N.A. dmusgrave@gfrlaw.com, vhilbun@gfrlaw.com
David S. Musgrave	on behalf of Defendant Fulton Financial Corporation dmusgrave@gfrlaw.com vhilbun@gfrlaw.com
Dylan G. Trache	on behalf of Trustee H. Jason Gold dylan.trache@nelsonmullins.com linnea.hann@nelsonmullins.com;alexandria.tracy@nelsonmullins.com;mari.cooper@nelsonmullins.com
Elizabeth Husebo	on behalf of Defendant Daniel J. Kotz ehusebo@grsm.com
Elizabeth Husebo	on behalf of Defendant First Class Title Inc. ehusebo@grsm.com
Erik W. Fox	on behalf of Creditor Vienna Oaks Office Center Condominium efox@reesbroome.com rhurley@reesbroome.com;Acruz@reesbroome.com
Gerard R. Vetter	ustpreion04.ax.ecf@usdoj.gov
H. Jason Gold	goldtrustee@fiduciaryservicesgroup.com VA19@ecfbis.com;hjc@trustesolutions.net;lgrahl@fsscommerce.com
Hannah White Hutman	on behalf of Creditor Bank of Clarke County hhutman@hooverpenrod.com scurtis@hooverpenrod.com;hooverpenrodplc@jubileebk.net
J. P. McGuire Boyd, Jr	on behalf of Defendant Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Creditor Atlantic Union Bank mboyd@williamsmullen.com
J. P. McGuire Boyd, Jr	on behalf of Defendant Bank of Clarke County mboyd@williamsmullen.com
Jack Frankel	on behalf of U.S. Trustee Gerard R. Vetter jack.i.frankel@usdoj.gov USTPRegion04.ax.ecf@usdoj.gov;Robert.W.Ours@usdoj.gov
James R. Meizanis, Jr.	on behalf of Creditor LINKBANK jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
James R. Meizanis, Jr.	on behalf of Creditor Virginia Partners Bank jmeizanis@bklawva.com jroot@bklawva.com;mnoble@bklawva.com
Jeffery T. Martin, Jr.	

District/off: 0422-9

User: TaiGlennB

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Date Rcvd: Aug 30, 2024

Form ID: pdford11

Total Noticed: 3

on behalf of Debtor Eagle Properties and Investments LLC jeff@martinlawgroup.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

Jeffery T. Martin, Jr.

on behalf of Plaintiff Eagle Properties and Investments LLC jeff@martinlawgroup.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

Jeffery T. Martin, Jr.

on behalf of Counter-Defendant Eagle Properties and Investments LLC jeff@martinlawgroup.com  
martin.jefferyt.b119228@notify.bestcase.com;brittany@martinlawgroupva.com;jeff@martinlawgroupva.com

Jeremy B. Root

on behalf of Creditor Virginia Partners Bank jroot@bklawva.com  
tjones@bklawva.com;mnoble@bklawva.com;wcasterlinejr@bklawva.com;jmeizanis@bklawva.com

John E Reid

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John Tucker Farnum

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jfarnumecfnotices@gmail.com;dbernard@milesstockbridge.com

Joshua David Stiff

on behalf of Debtor Eagle Properties and Investments LLC jstiff@wtplaw.com eslate@wtplaw.com;dchaney@whitefordlaw.com

Justin Fasano

on behalf of Creditor Gus Goldsmith jfasano@mhlawyers.com  
jfasanoecf@gmail.com;jfasano@ecf.courtdrive.com;sshin@mhlawyers.com;dmoorehead@mhlawyers.com

Lee S Raphael

on behalf of Creditor Gitsit Solutions LLC ecfl@ecf.courtdrive.com, cmartin@pralc.com

Maurice Belmont VerStandig

on behalf of Professional Maurice VerStandig mac@mbvesq.com  
lisa@mbvesq.com;verstandig.mauricer104982@notify.bestcase.com;verstandiglaw@recap.email

Nancy Greene

on behalf of Debtor Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Plaintiff Eagle Properties and Investments LLC ndg@ndglaw.com

Nancy Greene

on behalf of Professional N D Greene PC ndg@ndglaw.com

Richard E. Hagerty

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sharron.fay@troutmansanders.com;natalya.diamond@troutman.com

Robert Hockenbury

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Robert M. Marino

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Robert M. Marino

on behalf of Defendant Ishwer Butani rmmarino@rpb-law.com rmmarino1@aol.com

Robert M. Marino

on behalf of Creditor Bala Jain LLC rmmarino@rpb-law.com rmmarino1@aol.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant Daniel J. Kotz sbortnick@grsm.com

Stephanie Gardner Bortnick

on behalf of Defendant First Class Title Inc. sbortnick@grsm.com

Stephen W. Nichols

on behalf of Creditor Orrstown Bank snichols@offitkurman.com

TOTAL: 49